

## REMARKS

### INTRODUCTION

In accordance with the foregoing, claims 1-7 and 9-10 have been amended, claims 13-14 have been added, and claims 11 and 12 have been canceled, without prejudice or disclaimer.

Claims 1-10 and 13-14 are pending and under consideration.

### REJECTION UNDER 35 USC 103

Claims 1-3 and 6-10 stand rejected under 35 USC § 103(a) as being obvious over Collingwood, U.S. Patent No. 5,662,835, in view of Patel, U.S. Patent No. 5,673,022; and claims 4 and 5 stand rejected under 35 USC § 103(a) as being obvious over the combination of Collingwood and Patel, in view of Bogage, U.S. Patent No. 5,575,624. These rejections are respectfully traversed.

Briefly, it is noted that independent claims 1 and 4 have been amended to emphasize the structure of the claimed air circulating device, e.g., such that the air circulating device is configured to be supported by connection of the plug to an outlet, while independent claims 5 and 14 emphasize the nature of a directional flow of air out of the air circulating device, e.g., in a direction substantially parallel to a surface supporting a power outlet connectable with the plug provided on the surface of the housing.

It is respectfully submitted that none of Collingwood, Patel, or Bogage alone or in combination show at least the presently claimed invention, as a whole.

For example, none of Collingwood, Patel, or Bogage disclose or suggest the claimed air circulating device being configured to be supported by connection of the plug to an outlet.

The Office Action has indicated that it would be obvious to modify Collingwood to be supported by a plug when being connected to a wall outlet, based on the disclosure of Patel.

However, Collingwood sets forth a portable scent distributing device that has side air inlets, a top surface air outlet, and a fan to blow air out of the air outlet toward an emanator 6 which collects a chemical agent carried from wick 14 and stored in a reservoir 7.

Thus, with the particular arrangement disclosed in Collingwood, the chemical agent is pulled up through capillary action with wick 14 from reservoir 7. The chemical agent is then distributed across the pores of the emanator 6. When the moving air contacts the plurality of slots 21 of emanator 6 the chemical agent can thereby be distributed.

Thus, here, the preferred configuration of the system of Collingwood includes a general arrangement of air inlets, merely to provide air to a fan, and a particular arrangement of air outlets opposing the emanator 6 for distribution of the chemical agent.

In a different field, Patel sets forth a motion sensor and photo electric light sensor that can be plugged into a conventional light socket.

The Office Action has indicated that it would have been obvious to modify Collingwood to be supported by an outlet "for the purposes of having a air circulating device that conveniently plugs into standard power outlets and can be mounted on any wall or ceiling outlet without losing connection for other devices that may need to be plugged into the outlet."

However, there is no support in the record that Collingwood needs or desires to be mounted on any wall or ceiling outlet, or that additional devices would be connected to the structure of Collingwood.

In particular, a preferred embodiment of Collingwood includes the use of batteries and there is a particular arrangement between the fan generating base and the chemical agent releasing emanator 6, with the emanator 6 receiving the chemical agent through the particular physical orientation between a connected wick 14 and reservoir 7. Any modification of Collingwood must take into consideration the already preferred orientation of Collingwood, as well as the overall structure's applicability to the proffered modification, i.e., it is not clear whether the non-compact arrangement of the fan base, the reservoir, and the emanator could even be supported by being plugged into an outlet either because of the overall size and weight distribution of the resulting arrangement.

Further, conventionally, not every device that may be plugged into a wall also includes an additional power outlet. There must be some need or desire for such an arrangement, and in the particular case, there must be a particular need or desire for such an arrangement in Collingwood. Similarly, just because devices may be plugged directly into outlets, e.g., the sensors of Patel, that benefit does not mean that it would have been obvious to modify any and all devices to be supported by or plugged directly into an outlet. There must still be motivation for such a modification.

Thus, the particular benefit discussed in Patel is for solving a problem, need, or desire in such a system of Patel, and is not automatically applicable to all systems. The benefit in Patel is not automatically sufficient motivation for further modifying Collingwood.

Accordingly, in view of Patel, it is respectfully submitted that it would not have been obvious to modify Collingwood to now be plugged directly into an outlet and to be supported by the same.

Similarly, on page 4 of the Office Action, regarding the set forth features of selectable bidirectional flow of claims 4 and 5 (and presumably new claim 14), the Office Action has indicated that the same would have been obvious in view of Bogage.

However, Bogage is related to a completely different problem/desire than either of Collingwood or Patel, i.e., Bogage discusses the advantages of a metal ceiling fan blade.

Presumably, the Office Action is merely relying on Bogage to disclose bidirectional fan directions, as the Office Action's recited motivation is "to have a bidirectional flow to move the air in both upward and downward direction to achieve better circulated and fresh (from the scent) air quality."

The "better circulated" air flow may be a benefit to ceiling fans that have dual direction capability, but the particular invention of Collingwood is directed toward the forcing of air directly toward emantor 6 which has a chemical agent distributed on slots 21.

There is no evidence in the record that the reversal of the fan direction in Collingwood will achieve better circulated and fresh air quality.

Conversely, the reversal of the air flow in Collingwood would appear to actually reduce the effectiveness of distributing the chemical agent. If the air flow was reversed, then the chemical agent would be drawn down onto the upper surface, with only some of the chemical agent being drawn into the fan area. Therein, only some of the chemical agent would be exhausted out of the body, as some would be distributed within the body. Further, the distributed chemical agent that was actually released would only be released along the floor or table surface and not into the open air above the device.

Thus, the Office Action proposed modification of Collingwood would not have been desirable, and the modification of Collingwood and Patel would not have been obvious.

Accordingly, it is respectfully submitted that it would not have been obvious to modify any of Collingwood, Patel, or Bogage to disclose or suggest any of claims 1-10 and 13-14.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

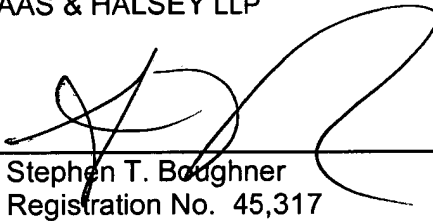
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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